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10/548,082

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EXAMINER

SONG, DAEHO D

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/548,082	Applicant(s) KOIZUMI ET AL.	
	Examiner DAEHO D. SONG	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Applicant's Response

In Applicant's Response dated 09/11/2008, Applicant amended Claims 1-15 and 17-19, added Claims 20-28, and argued against all objections and rejections previously set forth in the Office Action dated 06/11/2008.

In light of Applicant's amendments and remarks, the rejections of Claims 1-19 under 35 U.S.C. 112 are withdrawn.

In light of Applicant's amendments and remarks, the rejections of Claims 1-9 and 18 under 35 U.S.C. 101 are withdrawn.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

1. Claim 19 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 19 recite a "*computer-readable medium*" that has a program code for performing various functions. Since the Specification does not expressly states what the computer-readable medium includes, one of ordinary skill in the art at the time the invention was made would have interpreted this definition of "*computer-readable medium*" to include propagation signals that are used to transmit information to electronic devices.

Thus, the “*computer-readable medium*” may comprise only propagation signals that are used to transmit information to electronic devices. Then, the recited “*computer-readable medium*” is not a process, a machine, a manufacture or a composition of matter.

Accordingly, Claim 19 fails to recite statutory subject matter as defined in 35 U.S.C. 101.

Specification

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claims 1-9, 18-21 and 25-27 recite “*computer-readable medium*”, and there is insufficient antecedent basis for the limitation of “*computer-readable medium*”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2176

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 10, 20-21 and 25-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Fujimura et al. (hereinafter Fujimura): U.S. Patent No. 6,778,756.

Fujimura teaches:

Claim 1. A scroll display control device including a computer readable medium which stores a program for causing a computer to execute scroll-displaying, in synchronism with reproduction of series information correlated to text information, the corresponding text information on a text display screen, said scroll display control device comprising: means which changes a scroll speed in said text display screen on the basis of a text quantity of said corresponding text information with respect to reproduction time of said series information (col. 13 lines 30-58: the scrolling speed is determined according to the number of characters/text quantity and the countdown for recording of narration on video, which corresponds to reproduction time of video/series information, while the text video is synchronized with the reproduced video).

Claim 10. A scroll display control method comprising: displaying text information corresponding to sound in a scroll manner, such that the text information is displayed in synchronism with reproduction of the sound by changing a scroll speed adaptable to the

Art Unit: 2176

sound during reproduction (col. 1 lines 54-67; col. 2 lines 1-20; col. 13 lines 30-57: system of synchronized sound with a text video and displaying the text data according to the scrolling speed).

Claim 20. The scroll display control device according to Claim 1, wherein a reproduction time is a time length of said series information (col. 5 lines 34-46: a time length of video).

Claim 21. The scroll display control device according to Claim 1, wherein said scroll speed is increased if the text quantity increases with respect to said reproduction time and said scroll speed is decreased if the text quantity decreased with respect to said reproduction time (col. 13 lines 30-40: increasing or decreasing the scroll speed according to the amount of text).

Claim 25. The scroll display control device according to Claim 1, wherein the series information is image information or sound information (col. 13 lines 1-10: video image data).

Claim 26. The scroll display control device according to Claim 1, wherein the text quantity of said corresponding text information is an amount of text corresponding to the series information per unit time (col. 13 lines 30-40: number of characters for text data).

Claim 27. The scroll display control device according to Claim 1, wherein the text quantity of said corresponding text information is a total number of characters included within said corresponding text information (col. 13 lines 30-40: total number of characters within the corresponding text data).

4. Claims 11-17 and 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Ahmad et al. (hereinafter Ahmad): U.S. Patent Application Pub. No. 2007/0204319.

Ahmad teaches:

Claim 11. A scroll display control method comprising: displaying and reading text information corresponding to a picture in synchronism with reproduction of the picture in a scrolling manner, and performing scroll display of said text information in synchronism with the reproduction of the picture by changing a scroll speed adaptable to the picture under reproduction (figs. 2A-B; [0053][0059][0069]: displaying text data corresponding to the image data in synchronism with the playback of the video image by changing a scroll speed with the function of the speed control).

Claim 12. The scroll display control method according to claim 11, wherein the text information to be displayed is text information belonging to a text section corresponding

Art Unit: 2176

to the picture during reproduction and to preceding and succeeding text sections thereof
(figs. 2A-B; [0069]: displaying text data corresponding to the image data).

Claim 13. The scroll display control method according to claim 11, wherein when a text section corresponding to a picture reproduction position is changed, said scroll speed is derived on the basis of a time length of a picture section corresponding to the picture reproduction position and a text quantity of the text section corresponding to the picture reproduction position ([0069]: controlling the scroll speed by the time length of video clip and content of a set of text).

Claim 14. The scroll display control method according to claim 11 or claim 13, further including changing a text display setting of the text to be synchronously displayed with reproduction of the picture, and wherein, when the display setting of the text is changed, said scroll speed is derived on the basis of the changed display setting of the text ([0017][0053]: setting of the display rate by means of the speed control).

Claim 15. The scroll display control method according to claim 14, wherein reproduction of the picture is one of still picture reproduction, n-time reproduction, n-time rewind reproduction, and slow reproduction, where n is an integer equal to or greater than 1 ([0052][0053]: controlling speed of play, rewind and slow motion).

Claim 16. The scroll display control method according to claim 15, wherein the text

Art Unit: 2176

quantity of the text section is increased by changing the text display setting when reproduction of the picture is either fast-forward reproduction of at least two-time fast-forward reproduction or rewind reproduction ([0071]: controlling speed of fast-forward or fast-backward).

Claim 17. The scroll display control method according to claim 15, wherein the text quantity of the text section succeeding the text section corresponding to the picture under reproduction is increased by changing the text display setting when reproduction of the picture is slow reproduction ([0053]: changing the settings of display rate for various scrolling speeds).

Claim 22. The scroll display control method according to Claim 14, wherein the changing of the text display setting includes at least one of changing a display reference position of a target text, changing of a text display area size indicative of a height and a width of a text display area, and changing of a display text character size indicative of a height and a width of a text character ([0053]: changing of the text display setting by means of modifying the apparent display rate, which corresponds to changing a display reference position of the text data).

Claims 23 and 24:

The subject matter recited in Claims 23 and 24 corresponds to the subject matter recited in Claims 22. Thus Ahmad discloses every limitation of Claims 23 and 24, as

Art Unit: 2176

indicated in the above rejections for Claim 22.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-9, 18, 19 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujimura in view of Randall et al. (hereinafter Randall): U.S. Patent Application Pub. No. 2003/0090507.

Claim 2:

Fujimura teaches:

A scroll display control device including a computer readable medium which stores a program for causing a computer to execute scroll-displaying, in synchronism with reproduction of series information correlated to text information, the corresponding text information on a text display screen, said scroll display control device comprising: scroll speed calculation means which calculates a scroll speed on the basis of at least a time length of a series information section presently under reproduction and a quantity of the text belonging to a text section corresponding to the series information section during reproduction (col. 13 lines 30-58: the scrolling speed is determined according to

Art Unit: 2176

the number of characters for the text video and concurrently played corresponding video for recording of narration); *and*

Fujimura fails to expressly disclose:

control means which scroll-displays the text belonging to the text section at a predetermined reference position of said text display screen according to said scroll speed.

Randall expressly teaches:

control means which scroll-displays the text belonging to the text section at a predetermined reference position of said text display screen according to said scroll speed ([0010][0027]: scroll-displaying the text at a predetermined area of a rectangular region of display screen, which corresponds to a predetermined reference position).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the disclosure of Fujimura to incorporate with: *control means which scroll-displays the text belonging to the text section at a predetermined reference position of said text display screen according to said scroll speed*, in order to maintain synchronization between text information and visual image information, as taught in Randall (see [0010]).

Art Unit: 2176

Fujimura further teaches:

Claim 3. The scroll display control device according to claim 2, further comprising a text display setting information memory which variably stores display setting information of the text displayed on said text display screen; wherein said scroll speed calculation means calculates said scroll speed of the text on the basis of the length of the series information section during reproduction, the quantity of the text belonging to the text section corresponding to the series information section during reproduction, and the display setting information (col. 13 lines 30-67; col. 14 lines 1-5: the scrolling speed is determined according to the number of characters/text quantity, the countdown length for recording of narration on video, which corresponds to reproduction time of video/series information while the text video is synchronized with the reproduced video, and the display setting information such as ways of displaying of text video).

Claim 4. The scroll display control device according to claim 3, wherein said text display setting information memory variably stores a plurality of scroll methods and said control means scroll-displays the text according to the selected scroll method (col. 14 lines 1-5: various scrolling methods according to starting point of the displayed text video).

Claim 6. The scroll display control device according to claim 3, further comprising user instruction input means for dynamically changing the text display setting information (col. 5 lines 65-67: the user input for the countdown end time of text display).

Art Unit: 2176

Claim 8. The scroll display control device according to claim 2, further comprising a storage means which searchably stores the series information and the text information (col. 13 lines 1-10: a storage medium for storing text data and video data).

Claim 28. The scroll display control device according to Claim 2, the quantity of the text belonging to the text section corresponding to the series information section is a total number of characters included within the text section (col. 13 lines 30-40: total number of characters within the corresponding text data).

Claim 5.

Fujimura fails to disclose:

text display setting information memory variably stores a predetermined reference position of said text display screen.

Randall expressly teaches:

text display setting information memory variably stores a predetermined reference position of said text display screen (fig. 1; [0010][0027]).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the disclosure of Fujimura to incorporate with: *text display setting information memory variably stores a predetermined reference*

Art Unit: 2176

position of said text display screen, as taught by Randall, in order to maintain synchronization between text information and visual image information (see [0010]).

Claim 7.

Fujimura fails to disclose:

text of a preceding text section which precedes the text section and text of a succeeding text section which succeeds the text section are respectively displayed in two adjacent areas across the text section displayed at the reference position.

Randall expressly teaches:

text of a preceding text section which precedes the text section and text of a succeeding text section which succeeds the text section are respectively displayed in two adjacent areas across the text section displayed at the reference position (fig. 1; [0027]).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the disclosure of Fujimura to incorporate with: *text of a preceding text section which precedes the text section and text of a succeeding text section which succeeds the text section are respectively displayed in two adjacent areas across the text section displayed at the reference position, as taught by Randall, in order to maintain synchronization between text information and visual image information (see [0010]).*

Art Unit: 2176

Claim 9:

Fujimura fails to disclose:

the series information and the text information corresponding thereto is acquired by accessing a server which provides the series information and the text information.

Randall teaches:

the series information and the text information corresponding thereto is acquired by accessing a server which provides the series information and the text information
([0006][0007]: remotely control multimedia presentations over internet server).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the disclosure of Fujimura to incorporate with: *the series `information and the text information corresponding thereto is acquired by accessing a server which provides the series information and the text information*, as taught by Randall, in order to control remotely the text information and visual image information over the internet (see [0006]).

Claims 18 and 19:

The subject matter recited in Claims 18 and 19 corresponds to the subject matter recited in Claim 2. Thus Fujimura, in view of Randall, discloses every limitation of Claims 18 and 19, as indicated in the above rejections for Claim 2.

Response to Arguments

6. Applicant's arguments against the rejections based on 35 U.S.C. § 102 with respect to Claims 1-19 have been considered, but they are not persuasive.

Applicant argues that Fujimura fails to disclose: *changes a scroll speed in said text display screen on the basis of a text quantity of said corresponding text information with respect to reproduction time of said series information.*

The examiner disagrees.

As indicated in the above rejection for Claim 1, Fujimura discloses that the scrolling speed is changed according to the number of characters per second in the text of the narration manuscript as the corresponding video is played while the text video is synchronized with the reproduced video (see col. 13 lines 30-58).

Applicant argues that Fujimura fails to disclose: *displaying text information corresponding to sound in a scroll manner, such that the text information is displayed in synchronism with reproduction of the sound by changing a scroll speed adaptable to the sound during reproduction.*

The examiner disagrees.

As indicated in the above rejection for Claim 10, Fujimura discloses the system of synchronized countdown audio with a text video, which is the contents of the narration

Art Unit: 2176

manuscript, such that the text video is displayed in synchronism with the countdown audio by means of the narrator's control over the scrolling speed (col. 1 lines 54-67; col. 2 lines 1-20; col. 13 lines 30-57).

Applicant argues that Fujimura fails to disclose: *scroll speed calculation means which calculates a scroll speed on the basis of at least a time length of a series information section presently under reproduction and a quantity of the text belonging to a text section corresponding to the series information section during reproduction.*

The examiner disagrees.

As indicated in the above rejection for Claim 2, Fujimura discloses the scrolling speed is determined according to the number of characters for the text video and concurrently played corresponding video for recording of narration (see col. 13 lines 30-58).

Applicant argues that Fujimura fails to disclose: *text of a preceding text section which precedes the text section and text of a succeeding text section which succeeds the text section are respectively displayed in two adjacent areas across the text section displayed at the reference position.*

The examiner disagrees.

As indicated in the above rejection for Claim 7, Fujimura discloses the preceding text and the succeeding text which are displayed in two adjacent areas across the "Action Area". Fujimura also discloses that the action area can be represented in a

Art Unit: 2176

variety of ways. Thus, even though Fig. 1 presents the action area positioned on the top, it can be placed in the middle of the text window, such that the preceding text and the succeeding text are displayed in two adjacent areas (see fig. 1 and [0027]).

7. Applicant's arguments against the rejections based on 35 U.S.C. 102 with respect to Claims 11-17 have been considered but are moot in view of the new grounds of rejection.

Conclusion

Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2176

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAEHO D. SONG whose telephone number is (571)272-7524. The examiner can normally be reached on Mon-Fri 7:30-5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 5712724137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daeho D Song/
Examiner, Art Unit 2176